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*Attorneys for Defendant Allan Eaglesham*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW JERSEY

-----X  
SARAH SMITH,  
Plaintiff,

-against-

BRANT BEACH YACHT CLUB, ALLAN  
EAGLESHAM, JOHN DOES 1-10 (BEING  
FICTITIOUS NAMES FOR CREW MEMBERS OF  
THE BOAT BEING PILOTED BY ALLAN  
EAGLESHAM OR OTHERS WHOSE ROLES OR  
IDENTITIES ARE PRESENTLY UNKNOWN) AND  
ABC CO., INC. 1-10 (BEING FICTITIOUS NAMES  
FOR ENTITIES, PARTNERSHIPS OR  
CORPORATIONS WHO EMPLOYED DEFENDANTS  
OR WHOSE ROLES OR IDENTITIES ARE  
PRESENTLY UNKNOWN.

**PETITION FOR REMOVAL**

Defendants.  
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To the Judges of the United States District Court for the District of New Jersey:

The Petition of Defendant, Allan Eaglesham, by his attorneys, Hill, Betts & Nash LLP, respectfully shows, upon information and belief:

1. On or about December 6, 2017, plaintiff Sarah Smith commenced an action against defendants Brant Beach Club and Allan Eaglesham, *et al.*, in the Superior Court of New Jersey, Ocean County Law Division entitled *Sarah Smith v. Allan Eaglesham, John Does 1-10* (*being fictitious names for crew members of the boat being piloted by Allan Eaglesham or others whose roles or identities are presently unknown*) and *ABC Co., Inc. 1-10* (*being fictitious names for entities, partnerships or corporations who employed Defendants or whose roles or identities*

*are recently unknown*), Index No. OCN-L-003343/17 by filing a Summons and Complaint, copies of which are annexed hereto as Exhibit “1”.

2. Defendant Allan Eaglesham was served with the Summons and Complaint after January 15, 2018.

3. This Petition for Removal is being filed within thirty (30) days after receipt by Petitioner of a copy of the Summons and Complaint and is timely under 28 U.S.C. § 1446(b).

4. The above described action is a civil action involving personal injuries arising out of a marine vessel collision in navigable waters off Little Egg Harbor in Beach Haven, New Jersey.

5. This Court has original jurisdiction over this action under the provisions of 28 U.S.C. § 1333 in that it is a case of admiralty or maritime jurisdiction involving one or more vessels on navigable waters of the United States.

6. This Court also has original jurisdiction over this action under the provisions of 28 U.S.C. § 1332, in that there is complete diversity of citizenship among the parties to this action and the amount in controversy exceeds the sum of \$75,000.00 exclusive of interest and costs.

7. At all relevant times, plaintiff Sarah Smith was and is an individual residing in Annapolis, Maryland.

8. At all relevant times, defendant Brant Beach Yacht Club was and is a corporation duly organized and existing under and by virtue of the laws of the State of New Jersey, with a principal place of business located in Long Beach, New Jersey.

9. At all relevant times, defendant Allan Eaglesham was and is an individual residing in New York, New York.

WHEREFORE, defendant Allan Eaglesham, prays that the above described action now pending in Superior Court of the State of New Jersey, County of Ocean be removed therefrom to this Court.

Dated: New York, New York  
February 8, 2018

HILL, BETTS & NASH LLP  
*Attorneys for Defendant Allan Eaglesham*

By: 

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